nois, 116 U. S. 252. A statute of Pennsylvania providing that a member of the militia of the state, who was called into the services of the United States and who refused to obey such call, should be tried by a state court martial is valid. *Houston* v. *Moore,* 18 U. S. (5 Wheat) 1. It was not shown in this case that the statute was in conflict with the Espionage Law. Concerning a similar situation it is said in *Ex parte Siebold,* 100 U. S. 371, that Congress may make regulations on the same subject or may alter or add to those already made; the paramount character of those made by Congress has the effect to supersede those made by the state so far as the two are inconsistent, and no farther. As to the defense of the conflict with the Fourteenth Amendment, that is still a mooted question. There is no doubt, however, that at a time like this such an act would be sustained because of the great importance of the public safety. The court said, "The United States is at war and we think the legislature did not exceed its power."

CONSTITUTIONAL LAW—SEED GRAIN LAW—LOANS TO FARMERS.—The state constitution provided that the several counties of the state shall provide as may be prescribed by law, for those inhabitants who by reason of age, infirmity or other misfortune may have claims upon the sympathy and aid of society. *Held,* a law providing for loans upon certain conditions to farmers who are unable to secure seed is for a public purpose and constitutional. *State ex rel. Cryderman* v. *Wienrich,* (Mont., 1918), 170 Pac. 942.

The question involved in cases of this kind is whether this is a loaning of the public credit for a private purpose. Taxation cannot be imposed for a private purpose and if the state can appropriate for a private purpose the money in its treasury and then replace it by taxation it can do indirectly what it cannot do directly. That one is not a proper subject of relief until he is actually a pauper was held in *State ex rel. Griffith* v. *Osawkee Twp.,* 14 Kan. 418. A statute authorizing the city of Boston to issue bonds and lend the proceeds on mortgage to the owners of land, the buildings upon which were destroyed by the great fire of 1872 was unconstitutional. *Lowell* v. *City of Boston,* 111 Mass. 454. The Supreme Court of the United States has decided that a statute authorizing a town to issue its bonds in aid of a manufacturing enterprise is invalid. *Loan Assoc.* v. *Topeka,* 20 Wall 655. Apparently the only state in which public aid to a privately owned railroad is not allowed in Michigan. *People* v. *Salem,* 20 Mich. 452. A statute appropriating money to be loaned to farmers except those having more than 160 acres free from incumbrance, for the purpose of buying seed grain, appropriate public money for a private use and is unconstitutional. *William Deering & Co.* v. *Peterson,* 75 Minn. 118. The contrary view is upheld in *State* v. *Nelson Co.,* 1 N. D. 88. In this last mentioned case the distress was widespread. Every case of this kind must stand on its own peculiar facts. This decision seems correct in view of the enormous demand for food products in all parts of the world. It is simply a war measure. Otherwise the case would seem to be parallel with *Lowell* v. *Boston,* and a different decision should be reached. See *Pennsylvania R. Co.* v. *United States,* 246 Fed. 881, which laid emphasis on

the fact that since the United States was at war and great demands were being made upon its transportation systems, it could not be said as a matter of law that defendant had violated the Hours of Service Act.

CRIMINAL LAW—EVIDENCE OF OTHER OFFENCES—ADMISSIBILITY.—On a trial for conducting a hotel as a disorderly house, in order to show the bad and discredited character of D's housekeeper, a witness in his behalf, and hence to impeach her credibility, the court admitted her testimony on cross-examination, which was to the effect that she had entered and remained in D's employment at various hotels, with knowledge that he had maintained such hotels as disorderly houses and had been convicted therefor. *Held*, on appeal, that it was error to admit such testimony. *People* v. *Richardson*, (N. Y., 1917), 118 N. E. 514.

It seems clear that such evidence does not come within the purview of the general rule which permits the introduction of evidence of one's bad character for truth and veracity in order to discredit a witness. And, according to the prevailing doctrine, evidence of the witness' bad general character is inadmissible for this purpose. 1 GREENLEAF, EV., 461 a. But this rule assumes a relaxed form when the impeaching testimony is elicited on cross-examination of the witness himself, where the range of evidence admissible for the purpose of discrediting is very liberal and defined only by the discretion of the trial judge. 2 WIGMORE, EV. 944. Thus, it has been held that questions affecting the general character of the witness are not incompetent on cross-examination. *Brockett* v. *N. J. Steamboat Co.*, 18 Fed. 156; *State* v. *Pugsley*, 75 Iowa 742; *State* v. *Kent*, 5 N. D. 516, *semble*. *Contra*: *State* v. *Houx*, 109 Mo. 654; *Pratt* v. *Rawson*, 40 Vt. 183. The witness may be interrogated as to his particular traits of character or habits, chastity, and occupation. *Campbell* v. *State*, 23 Ala. 44; *Johnston* v. *Farmers' Fire Ins. Co.*, 106 Mich. 96; *State* v. *Merriman*, 34 S. C. 16; *People* v. *Webster*, 139 N. Y. 73; *People* v. *Giblin*, 115 N. Y. 196; *Boles* v. *State*, 46 Ala. 204; *State* v. *Coella*, 3 Wash. 99; *Thompson* v. *State*, 35 Tex. Cr. R. 511. *Contra*: *People* v. *Un Dong*, 106 Cal. 83; *State* v. *Gleim*, 17 Mont. 17; *State* v. *Weems*, 96 Iowa 426; *Howel* v. *Com.*, 5 Grat. 664. A comprehensive array of cases establishes the rule that a witness may be asked concerning particular acts or facts. *Oxier* v. *U. S.*, 1 Ind. T. 85; *State* v. *Hack*, 118 Mo. 92; *People* v. *Williams*, 92 Hun. 354; *State* v. *March*, 46 N. C. 526; *Baker* v. *Trotter*, 73 Ala. 277. *Contra*: *Thiede* v. *Utah*, 159 U. S. 510; *Holbrook* v. *Dow*, 78 Mass. 357; *Bessette* v. *State*, 101 Ind. 85; *State* v. *Wooderd*, 20 Iowa 541. These cases indutiably indicate that the interrogation of a witness on cross-examination is permissible, if, within the judgment of the trial court, such is relevant to the inquiry concerning the witness' credulity; so it seems that on this score there was no error in admitting the housekeeper's testimony. But the court went on the theory that "the evidence was inadmissible, not because it did not legitimately tend to prove an immoral and discredited character of the witness, but because illegitimately and beyond obviation it would subject the defendant to the prejudice and injustice which the reasons declare and condemn". The sec-